REMARKS/ARGUMENTS

The claims are 2-7 and 43, with claims 8-42 having previously withdrawn from consideration by the Examiner as directed to a non-elected invention. Claim 1 has been canceled in favor of new claim 43 to better define the invention. Accordingly, claims 2, 4, 5 and 7 which previously depended on claim 1 have been amended to depend on new claim 43. These claims and claims 3 and 6 have also been amended to improve their form. Support for the claim may be found, *inter alia*, in the disclosure at page 6, first full paragraph. Reconsideration is expressly requested.

Applicants wish to thank the Examiner for the courtesy of a telephone interview on June 11, 2009, the substance of which is set forth herein. Prior to the filing of a Request for Continued Examination (RCE), claims 1 and 7 were rejected under 35 U.S.C. 102(e) as being anticipated by *Ostertag U.S. Patent No. 6,711,976*. The remaining claims 2-6 were rejected under 35 U.S.C. 103(a) as being unpatentable over *Ostertag* in view of *Campbell U.S. Patent No. 6,190,050*.

At the interview, a proposed new independent claim 43 as set forth herein was discussed. No agreement was reached and the Examiner indicated that as the case was under final rejection she considered the proposed amendment to raise new issues that would require further consideration and search. The Examiner did indicate, however, that the proposed new claim 43 would distinguish over the cited references to *Ostertag* and *Campbell* subject to further consideration and search.

Accordingly, Applicants have filed an RCE, have canceled claim 1 in favor of new claim 43 herein, and respectfully traverse the Examiner's rejection for the following reasons.

As set forth in new claim 43, Applicants' invention provides a tool head 201 shown in FIG. 8. Tool head 201 includes a tool holder 204 having a first slide surface 220. Tool holder 204 is radially adjustable to an axis of rotation 206.

Tool head 201 also includes an adjusting device 202 having a second slide surface 208. Adjusting device 202 is axially adjustable along the axis of rotation 206.

The first slide surface 220 is in contact with the second slide surface 208. See e.g. FIG. 9. Both the first slide surface 220 and the second slide surface 208 are planar or both the first slide surface 220 and the second slide surface 208 have a constant radius of curvature in an axial direction.

Enormous forces take place at the contact surfaces between the tool holders and the adjusting device. These forces result in great wear both on the adjusting device and on the tool holders. But in order to replace the adjusting device or the tool holder, relatively complicated assembly must be performed, sometimes complete disassembly of the lathe tool adjustment in the region of the peeling head.

Applicants' tool head as recited in new claim 43 reduces the risk of wear in the region of the peeling head in order to avoid complicated assembly work for as long as possible. With Applicants' tool head as recited in new claim 43, when the adjusting device changes position, there will always be a large contact surface between the tool holder and the adjusting ring surface because both slide surfaces are planar or both have a constant radius of curvature in an axial direction.

The primary reference to *Ostertag* discloses a tool holder or skiving blade 10 having a planar surface shown in FIGS. 2 and 3 directed to the adjusting device or truncated cone 12. Truncated cone 12 is not planar so the surface directed to the skiving blade 10 varies. As a result, the point of contact between skiving blade 10 and truncated cone 12 will always be small as shown in FIGS. 2 and 3.

In contrast, with Applicants' tool head as recited in new claim 43, because the slide surfaces correspond with each other, either both are planar or both have constant radius of curvature in an axial direction, there will always be a large area of contact between the slide surfaces so that wear is reduced.

The defects and deficiencies of the primary reference to *Ostertag* are nowhere remedied by the secondary reference to *Campbell* cited with respect to dependent claims 2-6. *Campbell* is cited simply as showing an inlay of wear-resistant material strips 114 in groove 116 of a radial bearing or bushing 100. See FIGS. 8 and 8A of *Campbell*. There is no disclosure or suggestion of a tool head having a tool holder and an adjusting device with slide surfaces in contact with one another that are

both planar or that both have constant radius of curvatures in an axial direction.

Accordingly, it is respectfully submitted that new claim 43, together with claims 2-7 which depend directly or indirectly thereon, are patentable over the cited references.

In summary, claim 1 has been canceled, claims 2-7 have been amended, and new claim 43 has been added. In view of the foregoing, it is respectfully requested that the claims be allowed and that this case be passed to issue.

Respectfully submitted,
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